

CHAPTER 192
CHILD SUPPORT NONCOMPLIANCE

641—192.1(252J) Issuance or renewal of a license—denial. The department or board shall deny the issuance or renewal of a license upon the receipt of a certificate of noncompliance from the child support recovery unit of the department of human services according to the procedures in Iowa Code chapter 252J. In addition to the procedures set forth in Iowa Code chapter 252J, the following shall apply.

192.1(1) The notice required by Iowa Code section 252J.8 shall be served upon the applicant or licensee by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rules of Civil Procedure 56.1. Alternatively, the applicant or licensee may accept service personally or through authorized counsel.

192.1(2) The effective date of the denial of the issuance or renewal of a license, as specified in the notice required by Iowa Code section 252J.8, shall be 60 days following service of the notice upon the applicant or licensee.

192.1(3) The department or board's administrator is authorized to prepare and serve the notice required by Iowa Code section 252J.8, upon the applicant or licensee.

192.1(4) Applicants and licensees shall keep the department or board informed of all court actions, and all child support recovery unit actions taken under or in connection with Iowa Code chapter 252J, and shall provide the department or board copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code section 252J.9, all court orders entered in such actions, and withdrawals of certificates of noncompliance by the child support recovery unit.

192.1(5) All department or board fees required for application, license renewal, or license reinstatement must be paid by applicants or licensees before a license will be issued, renewed, or reinstated after the department or board has denied the issuance or renewal of a license pursuant to Iowa Code chapter 252J.

192.1(6) In the event an applicant or licensee timely files a district court action following service of a department or board notice pursuant to Iowa Code sections 252J.8 and 252J.9, the department or board shall continue with the intended action described in the notice upon the receipt of a court order lifting the stay, dismissing the action, or otherwise directing the department or board to proceed. For purposes of determining the effective date of the denial of the issuance or renewal of a license, the department or board shall count the number of days before the action was filed and the number of days after the action was disposed of by the court.

192.1(7) The department or board shall notify the applicant or licensee in writing through regular first-class mail, or such other means as the department or board determines appropriate in the circumstances, within ten days of the effective date of the denial of the issuance or renewal of a license, and shall similarly notify the applicant or licensee if the license is issued or renewed following the department or board's receipt of a withdrawal of the certificate of noncompliance.

641—192.2(252J) Suspension or revocation of a license. The department or board shall suspend or revoke a license upon the receipt of a certificate of noncompliance from the child support recovery unit of the department of human services according to the procedures set forth in Iowa Code chapter 252J. In addition to the procedures set forth in Iowa Code chapter 252J, the following shall apply.

192.2(1) The notice required by Iowa Code section 252J.8 shall be served upon the licensee by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rules of Civil Procedure 56.1. Alternatively, the licensee may accept service personally or through authorized counsel.

192.2(2) The effective date of the suspension or revocation of a license, as specified in the notice required by Iowa Code section 252J.8, shall be 60 days following service of the notice upon the licensee.

192.2(3) The department or board's administrator is authorized to prepare and serve the notice required by Iowa Code section 252J.8 and is directed to notify the licensee that the license will be suspended unless the license is already suspended on other grounds. In the event that the license is on suspension, the administrator shall notify the licensee of the department or board's intention to revoke the license.

192.2(4) Licensee shall keep the department or board informed of all court actions, and all child support recovery unit action taken under or in connection with Iowa Code chapter 252J, and shall provide the department or board copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code section 252J.9, all court orders entered in such actions and withdrawals of certificates of noncompliance by the child support recovery unit.

192.2(5) All department or board fees required for license renewal or license reinstatement must be paid by licensees before a license will be reinstated after the department or board has suspended or revoked a license pursuant to Iowa Code chapter 252J.

192.2(6) In the event a licensee files a district court action following service of a department or board notice pursuant to Iowa Code sections 252J.8 and 252J.9, the department or board shall continue with the intended action described in the notice upon the receipt of a court order lifting the stay, dismissing the action, or otherwise directing the department or board to proceed. For purposes of determining the effective date of the suspension or revocation, the department or board shall count the number of days before the action was filed and the number of days after the action was disposed of by the court.

192.2(7) The department or board shall notify the licensee in writing through regular first-class mail, or such other means as the department or board determines appropriate in the circumstances, within ten days of the effective date of the suspension or revocation of a license, and shall similarly notify the licensee if the license is reinstated following the department or board's receipt of a withdrawal of the certificate of noncompliance.

641—192.3(17A,22,252J) Sharing of information. Notwithstanding any statutory confidentiality provision, the department or board may share information with the child support recovery unit of the department of human services through manual or automated means for the sole purpose of identifying applicants or licensees subject to enforcement under Iowa Code chapter 252J or Iowa Code chapter 598.

These rules are intended to implement Iowa Code chapter 252J.

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